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1/2/01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,

Plaintiff,

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE et al.,

Defendants.

CIVIL NO. 1:CV-00-0649

FILED  
HARRISBURG, PA

JAN 02 2001

MARY E. D'ANDREA, CLERK  
Per MA  
Deputy Clerk

**ORDER**

In accordance with the foregoing memorandum of law, **IT IS  
HEREBY ORDERED THAT:**

(1) Defendants Smith, Roberts, Johnson, Thomas, Roy, Ridge, Ward, Burks, Mendelsohn, Jacobs, Mechling, Morgan, and Pennsylvania Board of Probation and Parole's motion to dismiss is **GRANTED**.

(2) Defendant Giornesto's motion to dismiss is **GRANTED**.

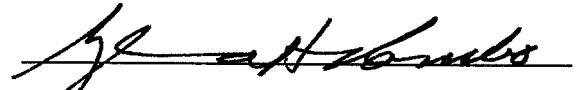
(3) Defendant Caldwell's motion to dismiss is **GRANTED**.

(4) Plaintiff's motion for entry of default judgment against Defendant Stewart is **DENIED**.

(5) Defendant Stewart's motion to dismiss is **GRANTED in PART** and **DENIED in PART** such that:

(a) to the extent that Stewart moves the court to dismiss Plaintiff's claims alleging the instigation of an illegal forfeiture action, said motion is **GRANTED**; and

(b) to the extent that Stewart moves the court to dismiss Plaintiff's due process claims against Stewart based on an alleged conspiracy with Defendant Caldwell, said motion is **DENIED**.

  
SYLVIA H. RAMBO  
United States District Court Judge

January 2, 2001

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

January 2, 2001

Re: 1:00-cv-00649 Galloway v. Pennsylvania Board o

True and correct copies of the attached were mailed by the clerk  
to the following:

Gail J. Galloway  
R.D. #1, Box 30  
Petersburg, PA 16669

Francis R. Filipi, Esq.  
Attorney General's Office  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120

Peter M. McManamon, Esq.  
Henry, Corcelius, Gates, Gill & Ody  
200 Penn Street  
P.O.Box 383  
Huntingdon, PA 16652

Anne K. Fiorenza, Esq.  
Assistant U.S. Attorney  
U.S. Attorney's Office  
228 Walnut Street  
Suite 217  
Harrisburg, PA 17108

cc:  
Judge (X )  
Magistrate Judge ( )  
U.S. Marshal ( )  
Probation ( )  
U.S. Attorney ( )  
Atty. for Deft. ( )  
Defendant ( )  
Warden ( )  
Bureau of Prisons ( )  
Ct Reporter ( )  
Ctroom Deputy ( )  
Orig-Security ( )  
Federal Public Defender ( )

Summons Issued ( ) with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )  
Standard Order 93-5 ( )  
Order to Show Cause ( ) with Petition attached & mailed certified mail  
to: US Atty Gen ( ) PA Atty Gen ( )  
DA of County ( ) Respondents ( )  
Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

MARY E. D'ANDREA, Clerk

DATE: January 2nd, 2001

BY:

  
Deputy Clerk

INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
DIVISIONAL OFFICE IN HARRISBURG, PENNSYLVANIA

GAIL GALLOWAY  
Plaintiff/Appellant

Dist. Ct. Docket # 1:00-CV-0649

(Judge Sylvia H. Rambo)

v.

Ct. of Appeals Docket # \_\_\_\_\_

PENNSYLVANIA BOARD OF PROB. & PAROLE, et al.  
Defendants/Appellees

NOTICE OF APPEAL FILED 1/29/01 COURT REPORTERS: No

FILING FEE:

Notice of Appeal      ☐ Paid    ☒ Not Paid      ☐ Seaman  
Docket Fee            ☐ Paid    ☒ Not Paid      ☐ US or Govt.

CJA Appointment: (Attach copy of order) N/A

☐ Private Attorney  
☐ Defender Association or Federal Public Defender  
☐ Motion Pending

Leave to proceed In Forma Pauperis status, if applicable (attach copy of order)

☐ Motion Granted In First Instance  
☐ Denied  
☐ Motion pending before district judge

Certificate of probable cause (state habeas corpus) (attach copy of order) N/A

☐ Granted  
☐ Denied  
☐ Pending

MOTIONS CURRENTLY PENDING : No

COPIES TO:

Judge Sylvia H. Rambo  
Francis R. Filipi, Esquire  
Anne K. Fiorenza, AUSA

Gail Galloway, Pltf  
Peter M. McManamon, Esquire  
☒ File Copy

DATED: February 2, 2001

Shawna L. Cihak  
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,  
Plaintiff, *pro se*

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, *et al.*,  
Defendants

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CIVIL NO. 1:CV-00-0649  
(Judge Rambo)

FILED  
HARRISBURG, PA

JAN 29 2001

MARY E. D'ANDREA, CLERK  
PER SJS DEPUTY CLERK

NOTICE OF APPEAL

Gail Galloway, ("Plaintiff"), *pro se*, hereby files this notice of appeal from a final judgment in the above captioned civil action. The Court ordered discovery to commence in the above captioned matter and then promptly dismissed Plaintiff's suit before any discovery could be accomplished and an amended complaint filed. Since there is an allegation of conspiracy in the claim, to dismiss the action without the opportunity to discover the facts to support the claim is a miscarriage of justice.

The Clerk of Courts is hereby requested to file this Notice of Appeal in the above captioned civil action.

Respectfully submitted,

Gail Galloway

Gail Galloway, Plaintiff, *pro se*  
R.D.#1, Box 30  
Petersburg, PA 16669  
(814) 669-9164

Date: January 24, 2001

Certified from the record

Date Feb. 2, 2001

Mary E. D'Andrea, Clerk

Per Shawna L. Chalk  
Deputy Clerk

28  
1/2/01  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,

Plaintiff,

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE et al.,

Defendants.

CIVIL NO. 1:CV-00-0649

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MARY E. D'ANDREA, CLERK  
Per MM  
Deputy Clerk

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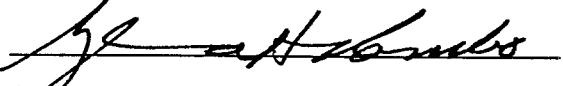
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Certified from the record  
Date Feb 2, 2001

Per Shawne L. Litch  
Deputy Clerk

(b) to the extent that Stewart moves the court to dismiss Plaintiff's due process claims against Stewart based on an alleged conspiracy with Defendant Caldwell, said motion is **DENIED**.

  
SYLVIA H. RAMBO  
United States District Court Judge

January 2, 2001